

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Jun KITAKADO

Application No.: 10/577,766

Confirmation No.: 6931

Filed: October 12, 2004 (Int'l)

Art Unit: 2617

For: METHOD OF DETERMINING  
TRANSMISSION RATE BY CONTROLLING  
ADAPTIVE MODULATION SCHEME (as  
amended)

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Examiner: B. Sarwar

**AMENDMENT WITH RCE AFTER FINAL ACTION**

MS RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Madam:

**INTRODUCTORY COMMENTS**

This is in response to the final Office Action dated July 6, 2009, for which a response is due on October 6, 2009. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested. An RCE is filed concurrently herewith.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.